

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claim:

1 Claim 1 (original): Drain suitable for draining a human or
2 animal antrum, organ or tissue, characterized in that it
3 comprises an elastic biocompatible, biodegradable synthetic
4 polymer, which polymer has at least one softening point
5 (glass transition temperature) of at most mammalian body
6 temperature.

1 Claim 2 (original): Drain according to claim 1, which
2 essentially entirely consists of said synthetic
3 biodegradable polymer.

1 Claim 3 (currently amended): Drain according to ~~any of the~~
2 ~~previous claims~~claim 1, wherein the polymer has at least one
3 softening point (glass transition temperature) of at most
4 37-°C.

1 Claim 4 (currently amended): Drain according to ~~any of the~~
2 ~~previous claims~~claim 1, wherein the biodegradable polymer
3 comprises a polyester, polycarbonate, polyester-carbonate,
4 polyanhydride, polyurethane and/or polyamide which are
5 optionally combined with polyether groups.

1 Claim 5 (currently amended): Drain according to claim 4,
2 wherein:

3 | —____ the polyester is selected from lactide polyester,
4 | ε-caprolactone polyester, glycolide polyester, or copolymers
5 | thereof; and/or
6 | —____ the polyether is selected from polyethyleneglycol,
7 | polypropyleneglycol, copolymers thereof and
8 | polytetramethyleneoxide (PTMO) .

1 Claim 6 (original): Drain according to claim 5, wherein the
2 polyester is a random DL-Lactide-ε-caprolactone copolyester,
3 preferably having a lactide content of 20-75 mol %, more
4 preferably 55-70 mol%, most preferably 62-69 mol%.

1 Claim 7 (currently amended): Drain according to claim 6,
2 wherein the fraction of the L-enantiomer or the D-enantiomer
3 of the lactide is from 65-95 mol%, preferably from 70-
4 90 mol%, more preferably about 85 mol%.

1 Claim 8 (original): Drain according to claim 4, wherein the
2 polyester, polyester-carbonate and/or polyanhydride is a
3 segmented or block copolymer with randomly or alternating
4 segments or blocks and consisting of at least two blocks
5 with different composition.

1 Claim 9 (currently amended): Drain according to claim 8,
2 wherein the segments or blocks are phase separated hard and
3 soft segments, characterized by at least two phase
4 transitions, one of them being a glass transition
5 temperature lower than 37-°C, the other a glass transition
6 temperature or melting temperature higher than 37-°C.

1 | Claim 10 (currently amended): Drain according to claim 8—or
2 | 9, wherein the segments or blocks forming the low

3 temperature transition phase are composed of pre-polymers of
4 (mixtures of) cyclic or non-cyclic monomers lactide,
5 glycolide, ϵ -caprolactone, δ -valerolactone,
6 trimethylenecarbonate, tetramethylenecarbonate,
7 1,5-dioxepane-2-one, para-dioxanone and/or
8 hydroxyalkanoicacid.

1 Claim 11 (currently amended) : Drains according to claim 8-
2 10, wherein the copolymer or pre-polymers are obtained by a
3 ring opening Polymerisation-Polymerization initiated by a
4 diol or di-acid compound.

1 Claim 12 (currently amended) : Drains according to claim 8-
2 11, wherein the pre-polymers forming the segments are linked
3 by a difunctional aliphatic compound, preferably a
4 diisocyanate, more preferably 1,4-butanediisocyanate.

1 Claim 13 (currently amended) : Drain according to ~~claims 9~~
2 ~~12~~claim 9, wherein the segment or block with highest
3 temperature phase transition (hard segment or block) is
4 formed by poly-caprolactone, poly-valerolactone,
5 poly-lactide, poly(lactide-glycolide), poly-para-dioxanone,
6 poly(hydroxybutyricacid), polysebacic acid,
7 poly(dodecanedioicanhydride) pre-polymers, and combinations
8 thereof.

1 Claim 14 (original) : Drain according to claim 4, wherein the
2 biodegradable polymer comprises a polyurethane, which
3 biodegradable polymer is a phase separated copolymer with a
4 polyester, polyester-carbonate and/or polycarbonate soft
5 segment and a urethane hard segment with uniform block
6 length.

1 Claim 15 (original): Drain according to claim 14, wherein
2 the polyurethane is formed by diisocyanate linked
3 pre-polymer and diol components having the formula [-A-B-C-
4 B-]_n, wherein A denotes the pre-polymer moiety, B denotes
5 the diisocyanate moiety, C denotes the diol moiety, having a
6 uniform block length; and n represents an integer larger
7 than 1.

1 Claim 16 (original): Drain according to claim 15, wherein
2 the diol component is a linear aliphatic diol (X) with
3 general structure HO-(CH₂)_n-OH with n = 2-8 or HO-(CH₂CH₂-O-
4 CH₂CH₂)_n-OH with n = 2-8 or the diol (XYX) is a reaction
5 product of two moles of the diol (X) with said diisocyanate.

1 | Claim 17 (currently amended): Drain according to claim 15-~~or~~
2 | ~~16~~, wherein the diisocyanate is 1,4-butanediisocyanate.

1 | Claim 18 (currently amended): Drain according to claim 15-
2 | ~~17~~, wherein the pre-polymer is formed by ring opening
3 | ~~polymerisation~~polymerization initiated by a diol or
4 | polyethyleneglycol compound of the cyclic monomers lactide,
5 | glycolide, ε-caprolactone, δ-valerolactone,
6 | trimethylenecarbonate, tetramethylenecarbonate,
7 | 1,5-dioxepane-2-one and/or para-dioxanone.

1 | Claim 19 (currently amended): Drain according to claim 14-
2 | ~~18~~, wherein the polyester is a poly(DL-lactide-ε-
3 | caprolactone) and the diol compound is the reaction product
4 | of two moles of 1,4-butanediol and one mole of
5 | 1,4-butanediisocyanate.

1 | Claim 20 (currently amended) : Drain according to claim 14-
2 | 18, wherein the polyester is a poly(DL-lactide- ϵ -
3 | caprolactone) and the diol compound is the reaction product
4 | of two moles of diethyleneglycol and one mole of
5 | 1,4-butanediisocyanate.

1 | Claim 21 (currently amended) : Drain according to claim 14-
2 | 19, wherein the soft segment is a combination of a
3 | pre-polymer with a polyether pre-polymer, preferably a
4 | polyethyleneglycol.

1 | Claim 22 (original) : Drain according to claim 21 wherein the
2 | polyethyleneglycol has a molecular weight of 1500.

1 | Claim 23 (currently amended) : Drain according to claim 14-
2 | 18, wherein the polyurethane contains 1-25 wt.%
3 | polyethyleneglycol, preferably 5-15%, being present as a
4 | pre-polymer initiator, and the polyester is a poly(DL-
5 | lactide- ϵ -caprolactone) and the diol compound is the
6 | reaction product of two moles of 1,4-butanediol and one mole
7 | of 1,4-butanediisocyanate.

1 | Claim 24 (original) : Drain according to claim 23, wherein
2 | the polyethyleneglycol has a molecular weight of 1000.

1 | Claim 25 (currently amended) : Drain according to ~~any of the~~
2 | ~~previous claims~~claim 1, wherein the polymer comprises a
3 | polyurethane and a polyester, polyestercarbonate or a
4 | polycarbonate, obtainable by solution blending.

1 | Claim 26 (original) : Drain according to claim 25, wherein
2 | the polyurethane is based on a DL-lactide- ϵ -caprolactone

3 soft segment pre-polymer and the polyester is a poly(DL-
4 lactide-ε-caprolactone) copolymer.

1 | Claim 27 (currently amended) : Drain according to ~~any of the~~
2 | ~~previous claims~~claim 1, wherein said polymer is loaded with
3 | radiopaque fillers and/or pharmaceutical components such as
4 | antibiotics, anti-inflammatory agents, peptides and
5 | proteins.

1 | Claim 28 (currently amended) : Drain according to ~~any of the~~
2 | ~~previous claims~~claim 1, which is provided with perforations.

1 | Claim 29 (currently amended) : Nasal drain according to ~~any~~
2 | ~~of the previous claims~~claim 1.

1 | Claim 30 (currently amended) : Drain, particularly a nasal
2 | drain, according to ~~any of the previous claims~~claim 1,
3 | having a wall thickness of 0.05-5.0 mm.

1 | Claim 31 (currently amended) : Drain according to ~~any of the~~
2 | ~~previous claims~~claim 1, having a total length of 3-300 mm.

1 | Claim 32 (currently amended) : Drain according to ~~any of the~~
2 | ~~previous claims~~claim 1, having an outer diameter of
3 | 0.5-50 mm.

1 | Claim 33 (currently amended) : Drain according to ~~any of the~~
2 | ~~previous claims~~claim 1, comprising a funnel shaped element
3 | on at least one end.

1 Claim 34 (original): Drain according to claim 33, having a
2 funnel length of 2-20 mm and preferably a funnel diameter of
3 3-30 mm.

1 Claim 35 (currently amended): Drain according to ~~any of the~~
2 ~~previous claims~~claim 1, which is obtainable by dip-coating
3 or spray coating of a polymer solution on a mandrel or
4 extrusion of a polymer.

1 Claim 36 (currently amended): Use of a drain according to
2 ~~claims 21-24~~claim 21 used for performing coloanal
3 anastomosis.

1 Claim 37 (currently amended): Method for treating a disorder
2 associated with dysfunction of natural drainage of body
3 fluids from an antrum, organ or tissue comprising
4 introducing a drain according to ~~any of the previous claims~~
5 claim 1 in said antrum, organ or tissue, such that said
6 antrum, organ or tissue is connected with the environment or
7 another location within the body, after which said drain
8 degrades over time and degradation products of said drain
9 are cleared through the digestive channel and/or said
10 antrum, organ or tissue and/or absorbed and subsequently
11 metabolized and/or secreted by the body.

1 Claim 38 (original): Method according to claim 37, wherein
2 said disorder is selected from (chronic) sinusitis,
3 inflammation of the middle ear, liver disorders, disorders
4 of the gastro-intestinal tract, tear duct disorder, surgical
5 wound drainage, and thoracic disorder.

1 | Claim 39 (currently amended) : Method according to ~~claims 37~~
2 | ~~or 38~~claim 37, wherein said drain is introduced in said
3 | antrum using at least one of: sealant; suture; and staple.

1 | Claim 40 (currently amended) : Use of a drain according to
2 | ~~any of the claims 1-35~~ claim 1 in the preparation of a
3 | medicament or kit for the treatment of a disorder as defined
4 | in ~~claims 37 or 38~~ claim 37.